

IT IS SO ORDERED.

Dated: July 22, 2005



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ATTORNEY FOR PLAINTIFF

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CARMENCITA HIPOLITO, an individual on Case No.: 05- 01003 MMC
behalf of herself and all others similarly
situated,

Plaintiff,

v.

**STIPULATION OF DISMISSAL
PURSUANT TO RULE 41(a)(1)(ii) OF THE
FEDERAL RULES OF CIVIL
PROCEDURE**

NATIONAL ENTERPRISE SYSTEMS, INC.,
aka, NES, fka WINDHAM
PROFESSIONALS OF OHIO, ERNEST
POLLACK, an individual,

Defendants.

IT IS HEREBY STIPULATED by and between Plaintiff Carmencita Hipolito and
Defendants, NATIONAL ENTERPRISE SYSTEMS, INC., aka, NES, fka WINDHAM
PROFESSIONALS OF OHIO, ERNEST POLLACK, an individual (collectively, "Defendants"),
that the parties have reached a settlement in this action and that the action against Defendants,
and each of them, shall be dismissed with prejudice. The putative class claims shall be dismissed
without prejudice.

Dated: 7/18/05

/s/ Irving L. Berg
Irving L. Berg
THE BERG LAW GROUP
ATTORNEY FOR PLAINTIFF

Dated: 7/18/05

/s/Jeanine K. Clasen
Jeanine K. Clasen
MURPHY, PEARSON BRADLEY & FEENEY
ATTORNEYS FOR DEFENDANTS